

JUL 25 2005

Vinson & Elkins

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From:		Date:	
Michael Smith		July 25, 2005	
Regarding:		Number of Pages:	Hard Copy Follows:
MAR618/75000 4-6(A)(US)		16	No
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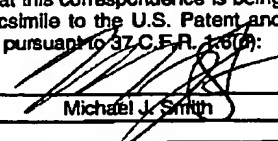
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July 25, 2005

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Arlington, VA 22313-1450

CERTIFICATE OF Facsimile 37 C.F.R. 1.8	
I hereby certify that this correspondence is being transmitted by facsimile to the U.S. Patent and Trademark Office pursuant to 37 C.F.R. 1.86(b):	
July 25, 2005	
Date	Michael J. Smith

Re: U. S. Patent Application No. 10/031,922 entitled "PRESERVED PHARMACEUTICAL FORMULATIONS" by Atef Gayed
(Our Ref: MAR618/4-006(A)US/75000)

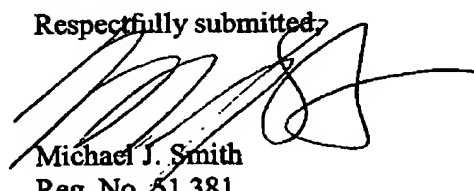
Sir:

Enclosed for filing in the above-referenced patent application are the following:

1. Petition To Withdraw From Issue Under 37 C.F.R § 1.313(c); and
2. Credit Card Payment Form.

The Commissioner is hereby authorized to charge \$130.00 as indicated on the attached Credit Card Payment Form. If the enclosed authorization is inadvertently omitted or deficient, or should an overpayment be included herein, the Commissioner is hereby authorized to appropriately deduct or credit the requisite amount from VINSON & ELKINS L.L.P. Deposit Account No. 22-0365/MAR618/4-006(A)US/75000.

Respectfully submitted,


Michael J. Smith
Reg. No. 51,381

102061:3058
Enclosures

610089_1.DOC

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JUL 25 2005

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
Gayed

Serial No.:10/031,922

Filed: May 13, 2002

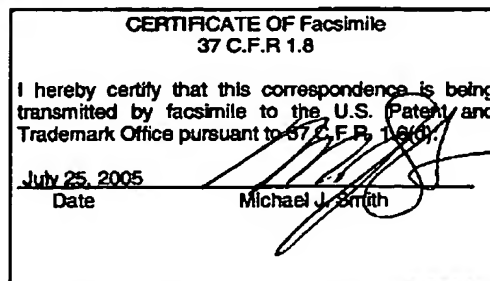
For: PRESERVED PHARMACEUTICAL
FORMULATIONS

Group Art Unit: 1614

Examiner: Raymond J. Henley III

Atty. Dkt. No.: MAR618/4-6(A)(US)

Confirmation No. 2807



PETITION TO WITHDRAW FROM ISSUE UNDER 37 C.F.R. § 1.313(c)

Mail Stop Petitions
Commissioner for Patents
U.S. Patent and Trademark Office
P. O. Box 1450
Arlington, VA 22313-1450

Sir:

This petition is a request under 37 C.F.R. § 1.313(c) to withdraw from issue the captioned application as Claim 21 is unpatentable under 35 U.S.C. § 112, para. 2 for listing an improper *Markush* group.

Amendments to the Claims are reflected in the listing of claims which begins on page 3.

Remarks begin on page 12.

07/26/2005 MBINAS 00000020 10031922

A credit card authorization is enclosed for the following fee: ⁰¹ FC:1464

130.00 OP

Fee Code 1464 (petition under 37 C.F.R. § 1.313) \$130.00 USD

Appl. No. 10/031,922

Petition to Withdraw from Issue Under 37 C.F.R. § 1.313(c)

No additional fee is believed due, however, if a fee is required for any reason relating to the enclosed materials, the Commissioner is authorized to deduct said fee from Vinson & Elkins LLP Deposit Account No. 22-0365/ MAR618/4-6(A)(US)/75000.